

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)

- 50-foot setback *CAN NOT BE MET* additional living area is needed, therefore variance is required

Property is to be posted and advertised as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
 (Type or Print Name)

Legal Owner(s):
 Betty Hinton Gamewell
 (Type or Print Name) 136 Hopkins Rd., Balto. 21212

Address: _____
 (Type or Print Name)

Signature: _____
 (Type or Print Name)

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
 Name: _____
 Address: _____
 City and State: _____

Attorney's Telephone No.: _____
 Address: _____
 Phone No.: _____

ORDER RECEIVED FOR FILING
 DATE: *May 11, 1984*
 BY: *John P. [Signature]*

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of April, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of May, 1984, at 10:00 o'clock A.M.

Bill Jolba
 Zoning Commissioner of Baltimore County.

IN THE MATTER OF THE APPLICATION OF BETTY HINTON GAMEWELL FOR VARIANCE FROM §1802.3.C.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS N/S OF HOPKINS ROAD 401.5' S. OF BLENHEIM ROAD (136 HOPKINS ROAD) 9th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

NO. 84-306-A

OPINION

This case comes before the Board of Appeals on an appeal from a decision of the Baltimore County Zoning Commissioner granting the requested variance. The case was heard on 19 day, 1984, in its entirety. The subject property is located on the north side of Hopkins Road 401.5 feet south of Blenheim Road, in the Ninth Election District of Baltimore County.

Mrs. Betty Cuthbert, nee Betty Gamewell, property owner, first testified. Mrs. Cuthbert stated that in order to improve the living quality of her home she desired to erect a screened porch on the rear of the house. This porch is projected to be 12 feet wide by approximately 17 feet across the rear of her home. However, the rear lot is 54 feet in depth from the house and under the Baltimore County Zoning Regulations the porch can only be 4 feet wide without a variance. The variance requested is to permit a 42 foot setback in lieu of the required 50 feet so that the 12 foot porch width can be obtained. The porch, if allowed, is to be built by a contractor, rough plans of which are a part of the case file, and would not be heated or used for living purposes but would be purely a porch and not an added room. Mrs. Cuthbert presented at this hearing seven photos of similar type structures that already exist in the neighborhood and a number of letters from area residents favoring the granting of this variance.

Mr. John Cain, 140 Hopkins Road, two houses removed from the subject site, also testified favoring the granting of this variance and stated he is of the opinion that it would not degrade the neighborhood but would actually enhance it. This completed Petitioner's case.

BETTY HINTON GAMEWELL - #84-306-A 2.

Ms. Jean Duval, 227 Murdock Road, testified for the Protestants. Ms. Duval explained the history of this area known as "Rodgers Forge" and testified as to the covenants that ran with the original deeds. There was discussion about these covenants. Ms. Duval testified that by allowing these building changes it could affect neighboring property values.

Mr. Travis K. Anderson, President, Rodgers Forge Community Association, also testified in opposition to this requested variance. Mr. Anderson noted the covenant restrictions in this development and stated that, in his opinion, to grant this variance may trigger the well-known "Domino Effect" and thereby reduce property values in the area.

The Board granted the Protestants five days in which to submit copies of the covenants and also granted the Petitioner five days to rebut these covenants, which was duly complied with by both sides. This completed the case.

The Board must, at this time, point out that we have no authority to enforce any covenants on any property. This authority lies with the Circuit Court. However, these covenants may be considered as they apply to §307 of the Baltimore County Zoning Regulations (BCZR) which designates the conditions necessary in order to grant a variance. The requested variance would be from BCZR §1802.3.C.1 which requires a 50 foot rear yard depth in a D.R. 10.5 zone. The Board will note that this is the highest requirement of any D.R. zone with the exception of D.R. 1, which is also 50 feet. Section 307, BCZR, grants the Board authority to grant an area variance where strict compliance would result in practical difficulty or unreasonable hardship. In *McLean v. Soley*, 270 Md. 208 (1973) the courts have held that to prove practical difficulty for an area variance the Petitioner must evidence that strict compliance with the area requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome. Without this variance

BETTY HINTON GAMEWELL - #84-306-A 3.

the Petitioner can erect a porch, but only 4 feet wide, and this requirement, in this case, would be unreasonable and unnecessarily burdensome. The Board has no evidence that this variance, allowing the proposed porch, would be detrimental to property values in this area and find no evidence of detriment to public health, safety or general welfare of this area. For all these reasons and careful consideration of the testimony and evidence in this case, the Board is of the opinion that the variance should be granted and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4th day of October, 1984, by the County Board of Appeals, ORDERED that the variance petitioned for, to permit a rear yard setback of 42 feet in lieu of the required 50 feet, be and is hereby GRANTED, subject to the following restriction:

- The proposed addition shall not be utilized as living quarters and shall not be heated in any way, but shall be utilized solely as a porch.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett
 William T. Hackett, Chairman
Charles J. Spurr
 Charles J. Spurr, Member
Keith S. Franz
 Keith S. Franz, Member

THIS DEED, Made this Twenty-seventh day of October, 1948, by and between James Keelty, Jr., and Louise H. Keelty, his wife, of Baltimore County, in the State of Maryland, and Rodgers Forge Realty Corp., a body corporate, duly incorporated and organized under the laws of the State of Maryland, Party of the second part.

WITNESSETH, that for and in consideration of the sum of five dollars, and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said James Keelty, Jr., and Louise H. Keelty, his wife, and Joseph S. Keelty, do hereby grant and convey unto the said Rodgers Forge Realty Corp., its successors and assigns in fee-simple, all that lot or parcel of ground situate and lying in Baltimore County, State of Maryland, and particularly described as follows:

BEGINNING for the same on the Northwest side of Pinehurst Road, at the distance of one hundred and twenty-nine and ninety-four one-hundredths feet Southwesterly from the southwest corner of Dunkirk and Pinehurst Roads, and at the south side of an alley formerly fifteen feet wide, but now increased to the width of seventeen feet by adding two feet to the width on the South side thereof, and running thence South eleven degrees forty minutes west binding on Pinehurst Road ninety-one and ninety-five one-hundredths feet to the point of curve of an arc of twenty-five feet radius joining the Northwest side of Pinehurst Road with the North side of Hopkins Road, thence Southwesterly binding on said arc thirty-three and nine one-hundredths feet (the chord of said arc bears South forty-nine degrees thirty-five minutes West thirty and seventy-two one-hundredths feet) to the North side of Hopkins Road, thence South eighty-seven degrees thirty minutes West binding on the North side of Hopkins Road six hundred and thirty-four and ninety-one one-hundredths feet to the point of curve of an arc of twenty-five feet radius joining the North side of Hopkins Road with the Northeast side of Dumbarston Road, thence Northwesterly binding on said arc twenty-nine and fifty-four one-hundredths feet (the chord of said arc bears North fifty-eight degrees thirty-nine minutes west twenty-seven and eighty-six one-hundredths feet) to the Northeast side of Dumbarston Road, thence binding thereon North twenty-four degrees forty-eight minutes west eighty-nine and sixty-three one-hundredths feet to the south side of the seventeen foot alley above mentioned, thence Northwesterly binding thereon with the use thereof in common with others by a line curving towards the South for a distance of one hundred and twenty-five and five one-hundredths feet (the chord of said curved line bears North eighty-three degrees eight minutes East one hundred and twenty-four and ninety-two one-hundredths feet) to the end of said curved line, thence still binding on said alley as widened North eighty-seven degrees thirty minutes East six hundred and fifteen and thirty-nine one-hundredths feet to the place of beginning.

TO HAVE AND TO HOLD the said lot of ground which, by Deed, bearing date January 2, 1948, and recorded among the Land Records of Baltimore County, in Liber J. W. S. No. 1625 folio 39 &c., was granted and conveyed by Rose L. Keelty, unto the said James Keelty, Jr., and Joseph Keelty, in fee-simple.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all appurtenances, rights, alleys, ways, waters, privileges, appurtenances and advantages to them in anywise belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the

The guidelines and restrictions will be more defined and more in keeping with the basic intent which was to keep our area as uniform as possible. In such a high density area this is imperative for the health, safety and welfare of all as we intend to maintain the high property value and quality of life enjoyed by the residents thru the years.

Thank you for your concern and consideration. If I can assist further, please call 377-4541.

*Sincerely,
 Jean K. Duval
 Jean K. Duval
 Rodgers Forge Assn.*

RECEIVED
 COUNTY BOARD OF APPEALS
 BALTIMORE COUNTY
 JUN 24 3 11 P M '84

*Board of Appeals
 Baltimore County
 Towson, Md 21284*

*July 24, 1984
 227 Murdock
 Baltimore Md
 21212*

*#84-306-A
 Hackett*

Dear Sir:
 Enclosed copy of a council covenant for 136 Hopkins Rd. are the ones filed with original deed. The intent of these, whether signed or not, and in this case they are as we have discussed, was to restrict future change. The residents of Rodgers Forge are constantly reminded of this in our newspaper which appears monthly. It is the very reason our community has maintained the stability it has over the last 60 yrs. that we have. Due to some of the unconstitutional language it contains, we are in the process of writing new ones. Once this is completed

subdivider to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, and either prevent him or them from so doing or to recover damages or other dues for such violation.

12. Invalidation of any one of these covenants. Judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

AND the said James Keelty, Jr., and Louise H. Keelty, his wife, and the said Joseph S. Keelty, hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that they will warrant specially the property hereby granted, and that they will execute such further assurances of the same as may be requisite.

witness the hands and seals of the said parties grantors herein.

James Keelty, Jr. (Seal)
 Alfred T. Jones, Jr. (Seal)
 Louise H. Keelty (Seal)
 Joseph S. Keelty (Seal)
 Joseph S. Keelty

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:
 I HEREBY CERTIFY, that on this 27th day of October, in the year, one thousand nine hundred and forty-eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared James Keelty, Jr., and Louise H. Keelty, his wife, and Joseph S. Keelty, and each acknowledged the foregoing deed to be their respective act.

witness my hand and official notarial seal.
 (Notarial seal) Alfred T. Jones, Jr. Notary Public
 (Recorded Oct 27 1948 at 10:40 AM & exd per) T. Braden Silcott - Clerk (and by d/s
 Egd. by 2324)

69924 Kostanty Celmer et al) THIS DEED, made this 20th day of September in the year one
 deed to Joseph Celmer et al) thousand nine hundred and forty-eight, by and between
 ----- Kostanty Celmer and Josephine Celmer, his wife, of Balti-
 more County in the State of Maryland, of the first part, and Joseph Celmer and Marie Celmer,
 his wife, of the second part.

WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Kostanty Celmer and Josephine Celmer, his wife, do grant and convey unto the said Joseph Celmer and Marie Celmer, his wife, as tenants by the entireties, their assigns, the survivor of them, his heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say: Beginning for the same on the east side of Riverside Road as laid out on the plat of Back River Neck Park 30 feet wide said plat being recorded among the land records of Baltimore County in Plat Book #7 Folio 4 at the distance of 815.99 feet northeasterly from the beginning of the North 3 degrees 55 minutes east 873.63 foot line of the 33.63 acre tract of land which by deed dated September 12, 1927 and running thence binding on the east side of Riverside Road North 3 degrees 55 minutes East 65 feet and thence running for new division lines through the land of said grantors as follows: South 77 degrees 32 minutes East 125 feet thence running parallel with Riverside Road South 3 degrees 55 minutes West 65 feet and thence running North 77 degrees 32 minutes West 125 feet to the place of beginning. BEING a part of the first parcel of land which by deed dated September 12, 1927 and re-

CASE # 84-306-A
 BETTY HINTON GAMEWELL (CUTHBERT)
 SET FOR 7/19/84

Mr. Hackert,

I am writing to you in regard to the zoning variance petition case # 84-306-A. This would involve the Residence of 136 Hopkins Rd. the home of Jack Cuthbert. For the Record, I would like to state the purpose of Myrtle and my wife Donna. We reside at 148 Hopkins Rd. which is located 5 miles south of the Cuthberts. We are aware of the plans to place the enclosure on the rear of his home, and in no way oppose this action as planned. Mr. Cuthbert is a responsible individual who has indicated that the addition would not be used as a sleeping quarters. We see both supporters of the plans and hope that you would consider this position.

Sincerely,
 Hank H. Wain
 Donna J. Wain
 148 Hopkins Rd.
 Balto Md 21212
 377-5419

RECEIVED
 COUNTY BOARD OF APPEALS
 JUN 12 1984



County Board of Appeals of Baltimore County
 Room 200 Court House (Hearing Room #218)
 Towson, Maryland 21204
 (301) 494-3180
 June 19, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 84-306-A BETTY HINTON GAMEWELL
 N/S Hopkins Rd., 401.5' S of Blenheim Rd.
 (136 Hopkins Rd.)
 9th District
 Variance to permit a rear yard setback of 42' in lieu of the required 50'
 5/11/84 - Z.C.'s Order - Granted w/restrictions
 THURSDAY, JULY 19, 1984, at 10 a.m.

ASSIGNED FOR:

cc: Betty Hinton Cuthbert
 Steve DuVall
 Chris Batten
 Rodgers Forge Comm. Inc. Protestant
 c/o Travis Anderson, Pres.
 Phyllis C. Friedman, Esq. People's Counsel
 Arnold Jablon
 Jean Jung
 Norman Gerber
 James Hoswell
 James Dyer

June Holmen, Secy.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 N/S Hopkins Rd., 401.5' S of
 Blenheim Rd. (136 Hopkins Rd.)
 9th District : OF BALTIMORE COUNTY
 BETTY HINTON GAMEWELL,
 Petitioner : Case No. 84-306-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Rm. 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 20th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Betty Hinton Gamewell, 136 Hopkins Road, Baltimore, MD 21212, Petitioner.

Peter Max Zimmerman
 Peter Max Zimmerman

BALTIMORE COUNTY
 ZONING PLANS
 ADVISORY COMMITTEE



PETITION AND SITE PLAN
 EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
 April 26, 1984

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

Ms. Betty Gamewell
 136 Hopkins Road
 Baltimore, Md. 21212

RE: Item No. 255 - Case No. 84-306-A
 Petitioner - Betty H. Gamewell
 Variance Petition

Dear Ms. Gamewell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
 Nicholas B. Conodari, Esq.
 NICHOLAS B. CONODARI
 Chairman
 Zoning Plans Advisory Committee

NBC:bac
 Enclosures



BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

April 27, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #255 (1983-1984)
 Petitioner: Betty H. Gamewell
 N/S Hopkins Road 401' E. Blenheim Rd.
 Acres: 29' 6" X 108 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #255 (1983-1984).

Very truly yours,
 Robert A. Morton, P.E., Chief
 Bureau of Public Services

RAM:EAM:FWR:ss
 N-SW Key Sheet
 29 NE 1 Pos. Sheet
 NE B A Topo
 80 Tax Map



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204
 494-3211
 NORMAN E. GERBER
 DIRECTOR

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

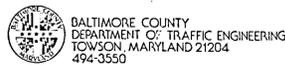
4/28/84
 Re: Zoning Advisory Meeting of 4/23/84
 Item # 255
 Property Owner: BETTY H. GAMEWELL
 Location: 136 HOPKINS RD. N/S OF
 BLENHEIM RD.

Dear Mr. Jablon:
 The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan approved by the Planning Board or the amended Development Plan as approved by the Planning Board.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is re-evaluated annually by the County Council.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Deficient Service Areas are re-evaluated annually by the County Council.
- () Additional comments:

Stephen A. Boker
 Stephen A. Boker
 Chief, Current Planning and Development

cc: James Hoswell



STEPHEN E. COLLINS
DIRECTOR

April 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 253, 255, 256, and 257 ZAC-Meeting of April 3, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 253, 255, 256, and 257.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Zoning Commissioner
TO Office of Planning and Zoning Date April 6, 1984

FROM Jan J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Meeting - March 27, 1984

Item #245 - State of Maryland (State Universities and Colleges)

Item #249 - Mary M. Clark

Item #251 - Replay Limited, Inc.

Meeting - April 3, 1984

Item #255 - Betty H. Gamewell

Item #257 - Michael P. Janicki

LJF/ftb



PAUL H. REINCKE
CHIEF

April 10, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Betty H. Gamewell

Location: N/S Hopkins Road 401' E. Dumbarton Road

Item No.: 255 Zoning Agenda: Meeting of 4/3/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Ed O. Kelly* Noted and Approved: *Approved in Accordance*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI JR.
DIRECTOR

April 10, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 255 Zoning Advisory Committee Meeting are as follows:

Property Owner: Betty H. Gamewell

Location: N/S Hopkins Road 401' E. Dumbarton Road

Existing Zoning: D.R. 10.5

Proposed Zoning: Variance to permit a rear yard setback of 42' in lieu of the required 50'.

Acres: 29'6" x 108

District: 9th.

The items checked below are applicable:

() All structures shall conform to the Baltimore County Building Code 1981/Council Bill 10-83 State of Maryland Code for the handicapped and Age; and other applicable Codes.

(X) A building/ & other permit shall be required before beginning construction.

() Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

() Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if constructed in the lot line, see Section 505, line 5, Section 1407 and Table 1402, also Section 505. (East wall shall be a one hour fire resistive construction.)

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be committed to the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burbanck
Charles E. Burbanck, Chief
Plans Review

CEB:es

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO Zoning Commissioner Date April 20, 1984

Norman E. Gerber, Director
FROM Office of Planning and Zoning

Betty H. Gamewell
SUBJECT 84-306-A

There are no comprehensive planning factors requiring comment on this petition.

NEG/JGH/sf

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

IN RE: PETITION ZONING VARIANCE BEFORE THE
N/S of Hopkins Road, 401.5' S ZONING COMMISSIONER
of Blenheim Road (136 Hopkins Road) - 9th Election District OF BALTIMORE COUNTY
Betty Hinton Gamewell, Case No. 84-306-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, Betty Hinton Gamewell, a/k/a Betty Hinton Cuthbert, requests a variance to permit a rear yard setback of 42 feet instead of the required 50 feet, as more fully described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. Testifying on her behalf was John Cain, an immediate neighbor. Appearing as a Protestant was Chris Batten, who also represented the Rodgers Forge Community Association, Inc., which is opposed to the proposed addition.

The Petitioner testified that she proposes to construct a 12' x 17' addition to the rear of her home, a rowhouse situated on a lot measuring 29'6" x 108'. The addition will be an enclosed porch to be used during good weather for the enjoyment of the outside and protection from the elements. It will not be used for living quarters and will not be heated. It is an enclosed porch and nothing more. Mrs. Cuthbert's front porch is not enclosed and cannot be enjoyed due to the traffic. She requests the variance because the addition cannot be built elsewhere due to the nature of the property and the home. If the rear yard setback were to be met, the porch could be only four feet wide, total useless for any purpose. Mr. Cain testified that he felt the addition would enhance the neighborhood and the house. He did not feel that the proposed addition would interfere with the enjoyment of his property.

ORDER RECEIVED FOR FILING
DATE May 11, 1984
BY *John R. Conway*

Mrs. Batten opposed the request because she believed property values in the area would be adversely effected. The Association's opposition was that the covenants in the deeds prevented such additions and encroachments.

It should be noted, however, that there are other homes in the area with rear porches.

The Petitioner seeks relief from Section 1B02.3.C.1, pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

In view of the due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the

ORDER RECEIVED FOR FILING
DATE May 11, 1984
BY *John R. Conway*

variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of May, 1984, that the Petition for Variance to permit a rear yard setback of 42 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The addition shall not be utilized as living quarters and shall not be heated in any way; it shall be utilized solely as a porch.

ORDER RECEIVED FOR FILING
DATE May 11, 1984
BY *John R. Conway*

Arnold Jablon
Zoning Commissioner of
Baltimore County

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
LOCATION: North side Hopkins Road, 401.5 ft. South of Blenheim Road (136 Hopkins Road)
DATE & TIME: Wednesday, May 9, 1984 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 42 ft. in lieu of the required 50 ft.

Being the property of Betty Hinton Gamewell, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

In the Ninth Election District of Baltimore County aforesaid, and described as follows, that is to say:

Beginning for the same on the north side of Hopkins Road, at the distance of 401 feet 6 inches easterly from the point where the north side of Hopkins Road if extended westerly would be intersected by the northeast side of Blenheim Rd., if extended southeasterly and at a line drawn at right angles to Hopkins Road midway between the house on the lot now being described and that adjoining on the west, and running thence north 87 degrees 30 minutes east binding on the north side of Hopkins Road, 29 feet 6 inches to a point in a line with the center of the partition wall between the house on the lot now being described and that adjoining on the east, thence north 2 degrees 30 minutes west to and through the center of said wall in all, 108 feet to the south side of an alley 17 feet wide there situated, thence south 87 degrees 30 minutes west binding on said alley with the use thereof in common with others, 29 feet 6 inches to the line drawn from the place of beginning at right angles to Hopkins Road, and thence south 02 degrees 30 minutes east binding thereon 108 feet to the place of beginning. The improvements thereon being known as No. 136 Hopkins Road.

BEING the same lot of ground which by Assignment dated December 17, 1962, and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4087, folio 445, was owned and assigned by Wheeler Holding, Inc. to the said Raymond H. Gamewell and Betty H. Gamewell, his wife, subject to the payment of the annual ground rent of One Hundred Twenty Dollars (\$120.00), payable in equal half-yearly installments on the 17th days of June and December in each and every year.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

May 4, 1984

Ms. Betty Hinton Gamewell
136 Hopkins Road
Baltimore, Maryland 21212

Re: Petition for Variance
N/S Hopkins Rd., 401.5' S of Blenheim Rd. (136 Hopkins Road)
Betty Hinton Gamewell - Petitioner
Case No. 84-306-A

Dear Ms. Gamewell:

This is to advise you that \$41.72 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - FUND DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130271
ARNOLD JABLON
Commissioner

DATE 5-9-84 ACCOUNT R-01-615-000
AMOUNT \$41.72

RECEIVED BY Betty H. Cuthbert
FOR Advertising Posting Case # 84-306-A

C 026*****47210 065**

VALIDATION OR SIGNATURE OF CASHIER

April 12, 1984

Ms. Betty Hinton Gamewell
136 Hopkins Road
Baltimore, Maryland 21212

NOTICE OF HEARING
Re: Petition for Variance
N/S Hopkins Rd., 401.5' S of Blenheim Road (136 Hopkins Road)
Case No. 84-306-A

TIME: 10:00 A.M.

DATE: Wednesday, May 9, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Signature of Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 128211

DATE 3/21/84 ACCOUNT R-01-615-000
AMOUNT 35.10

RECEIVED FROM Betty H. Cuthbert
FOR Advertising Posting Case # 84-306-A

C 065*****35010 0224A

VALIDATION OR SIGNATURE OF CASHIER

6422 Pinehurst Road
Baltimore, Md. 21212
July 18, 1984

To Whom it May Concern:

I support the granting of an eight foot variance at 136 Hopkins Road for the purpose of adding an enclosed back porch. This property belongs to Betty Hinton Cuthbert.

Sincerely,
Carol R. Yorkoff

136 Hopkins Road
Baltimore, MD 21212
July 10, 1984

To Whom It May Concern:

This letter is to advise that we, the undersigned, residents at the above address and neighbors of the Cuthberts, wish it known that the Cuthberts have discussed their plans for an extension on the rear face of their house with us in detail. They did so at the time when they were just beginning to consider the plan, and they kept us advised throughout. We have absolutely no objections to the erection of the proposed extension. We do not believe that it will reduce the property value of our holdings, or of any of the properties near us. We also do not believe that the extension will create an "eyesore" or look out of place, as there are already several such structures in the neighborhood. We fully support the Cuthberts in their plans and wish them every success.

Sincerely,
Thomas M. Appich Jr.
Kimberly P. Appich

July 27, 1984

Mr. William T. Hackett
Chairman, Board of Appeals
Room 200, Courthouse
Towson, Maryland 21204

RE: Petition Zoning Variance
N/S of Hopkins Road, 401.5' S of Blenheim Road (136 Hopkins Road) - 9th Election District
Betty Hinton Gamewell, Petitioner
Case No. 84-306-A

Dear Mr. Hackett:

Pursuant to the July 19th hearing by the Board of Appeals regarding my petition for zoning variance as referenced above, I would like to offer the following comments to support this petition.

As requested, Mrs. Duval provided me with a copy of the covenants for my particular section of Rodgers Forge.

- 1. Rodgers Forge Community Association objects to use of open space yet Item 7 of covenants clearly allows a garage to be constructed which would obstruct more open space than the addition of a porch.
2. Item 8 speaks to the issue of "sun rooms". Since there are numerous additions that could be classified as "sun rooms" and since no attempt was made by the Rodgers Forge Community Association to have the owners comply with the Baltimore County Zoning regulations or for the removal of such additions, the action against me is clearly discriminatory. I have cooperated fully with Baltimore County requirements, all of which are a part of your file.
3. Mrs. Duval made the correlation between the lowering of property values in Northwood with additions to the properties in that neighborhood. Any native Baltimorean knows that the decline of Northwood property values was the result of unethical and illegal real estate practices which were ruled against by the courts and the Maryland Real Estate Commission.
4. Further, the allegation that the addition would affect the health and safety of residents because it would be a fire hazard is not valid, since Fire Department specifications were incorporated into the design of the requested porch.

RECEIVED
COUNTY BOARD OF APPEALS
JUL 27 11 20 AM

Mr. William T. Hackett
July 27, 1984
Page Two

In the hallway after the July 19th hearing, the President of Rodgers Forge Community Association, Travis Anderson, stated in the presence of others that I "should have just gone ahead and built the porch - we (Rodgers Forge Community Association) wouldn't have done anything about it".

In addition, I would like to submit the enclosed letters from some of my neighbors to be incorporated in the file on this petition.

I sincerely hope for a favorable ruling in this matter and I honestly believe the community's interests could be better served by the community association's concentrated attention to other areas that may threaten health, safety and stability of this lovely residential section.

Sincerely,
Betty Gamewell Cuthbert
Betty Gamewell Cuthbert

enc.
136 Hopkins Road
Baltimore, Maryland 21212

DR. H. GEORGE HAHN II
131 HOPKINS ROAD
BALTIMORE, MARYLAND 21212
July 17, 1984

In re. Case 84-306-A

Mr. William T. Hackett
Chairman
Board of Appeals
Courthouse, Room 200
Townson, Maryland 21204

Dear Mr. Hackett:

This letter is in support of granting a petition zoning variance to Betty Hinton Gamewell of 136 Hopkins Road.

Mrs. Gamewell's property and grounds have, in my thirteen years on Hopkins Road, always been a credit to Rodgers Forge. Her proposed improvement, for which she petitions you, will, I am certain, be tastefully done.

It will not in any way be a nuisance to the neighborhood but will indeed be an improvement to the quality of living in Rodgers Forge.

Both my wife and I strongly advise your granting the petition to Mrs. Gamewell.

Sincerely,

A. George Hahn II

cc



County Board of Appeals of Baltimore County
Room 200 Court House
Townson, Maryland 21204
(301) 494-3180

October 4, 1984

Rodgers Forge Community Assn., Inc.
c/o Travis K. Anderson, President
170 Dumbarton Road
Baltimore, MD 21212

Re: Case No. 84-306-A
Betty Hinton Gamewell

Dear Mr. Anderson:

Enclosed herewith in a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Betty Hinton Cuthbert
Chris Batten
Phyllis Cole Friedman
Arnold Jablon
Jean M. H. Jung
Norman E. Gerber
James G. Hoswell
James E. Dyer



Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2189

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 19, 1984

Mrs. Chris Batten
401 Dumbarton Road
Baltimore, MD 21212

Travis K. Anderson, President
Rodgers Forge Community Assn., Inc.
170 Dumbarton Road
Baltimore, MD 21212

RE: Betty Hinton Gamewell, Petitioner
Zoning Case No. 84-306-A

Dear Mrs. Batten and Mr. Anderson:

We have received a copy of the County Board of Appeals Opinion dated October 4, 1984 in the above-entitled case, and we do not plan an appeal. The court cannot overturn a Board decision unless it is arbitrary or capricious.

You are entitled to appeal in your capacity, as individual Protestants, in which case you may wish to consult private counsel. If you have any questions, please do not hesitate to call me.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

PMZ:sh

RECEIVED
COUNTY BOARD OF APPEALS
OCT 19 1984

May 11, 1984

Mrs. Betty Hinton Cuthbert
136 Hopkins Road
Baltimore, Maryland 21212

IN RE: Petition Zoning Variance
N/S of Hopkins Road, 401.5' S of
Blenheim Road (136 Hopkins Road) -
9th Election District
Betty Hinton Gamewell, Petitioner
Case No. 84-306-A

Dear Mrs. Cuthbert:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

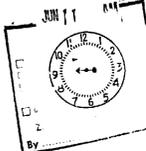
Attachments

cc: People's Counsel

Mrs. Chris Batten
401 Dumbarton Road
Baltimore, Maryland 21212

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212



Travis K. Anderson, President
The Rodgers Forge Community
Association, Inc.
170 Dumbarton Road
Baltimore, Maryland 21212
June 8, 1984

Baltimore County Zoning Board

Gentlemen:

As President of the Rodgers Forge Community Association, Inc., I, Travis K. Anderson, request an appeal of Case No. 84306-A. This case represents a zoning decision found in favor of Betty Hinton Gamewell of 136 Hopkins Road, 9th Election District.

Very truly yours,

Travis K. Anderson

Travis K. Anderson
President



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

June 13, 1984

Mrs. Betty Hinton Cuthbert
136 Hopkins Road
Baltimore, Maryland 21212

Re: Petition for Variance
N/S of Hopkins Rd., 401.5' S of Blenheim
Road (136 Hopkins Road)
Betty Hinton Gamewell - Petitioner
Case No. 84-306-A

Dear Mrs. Cuthbert:

Please be advised that an appeal has been filed by Rodgers Forge Community, Inc. by Travis K. Anderson, President, from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:aj

cc: Mrs. Chris Batten
401 Dumbarton Road
Baltimore, Maryland 21212

People's Counsel

6/19/84 - Following have been notified of hearing set for Thurs. July 19, '84, at 10 a.m.:

Betty Cuthbert
Chris Batten
Travis Anderson
P. Friedman
A. Jablon
J. Jung
N. Gerber
J. Hoswell
J. Dyer

7/19/84 - Per W. T. Hackett - 5 days granted to Mrs. Duvall to supply Board with a copy of deed *Red Hackett*

Mrs. Gamewell has 5 days in which to reply regarding her opinion of what the deed states

Form with fields for To, Date, Time, AM/PM, and a section titled 'WHILE YOU WERE OUT' with checkboxes for 'TELEPHONED', 'CALLED TO SEE YOU', 'WANTS TO SEE YOU', 'RETURNED YOUR CALL', 'PLEASE CALL', 'WILL CALL AGAIN', and 'URGENT'. It also includes a section for 'IN FILE SAYS THAT MRS. GAMEWELL HAS FIVE DAYS TO REPLY BUT THERE IS NO MENTION THAT A COPY HAS BEEN SENT TO MRS. GAMEWELL'.

Call Mrs. Cuthbert - message
at 2:00 7/25 ETE
Operator

June 12, 1984

Mr. William T. Hackett
Chairman, Board of Appeals
Room 200, Courthouse
Townson, Maryland 21204

IN RE: Petition Zoning Variance
N/S of Hopkins Road, 401.5' S of
Blenheim Road (136 Hopkins Road) -
9th Election District
Betty Hinton Gamewell, Petitioner
Case No. 84-306-A

Dear Mr. Hackett:

I have been informed that the Rodgers Forge Community Association has appealed the Order for Zoning Variance granted me by the Zoning Commissioner, Arnold Jablon, on May 11, 1984.

Since the Board of Appeals has an extremely full calendar, I would appreciate any consideration you could give me for an early hearing. The appeal concerns my being granted an 8-foot variance to add a porch to the back of my home and I would like very much to enjoy it this summer if possible. My husband is semi-retired and we spend a good deal of time at home especially in the summer when the weather and the crowds make staying at home more comfortable.

Thank you for any relief you can give me.

Sincerely,

Betty Hinton Cuthbert
Betty Hinton Cuthbert (Gamewell)

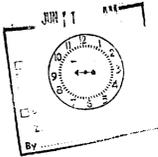
136 Hopkins Road
Baltimore, Md. 21212
377-6920 Home
823-2323 Office

Set for 7/19 - 10am

COUNTY BOARD OF APPEALS
JUN 13 1984

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212



Travis K. Anderson, President
The Rodgers Forge Community
Association, Inc.
170 Dumbarton Road
Baltimore, Maryland 21212
June 8, 1984

Baltimore County Zoning Board

Gentlemen:

As President of the Rodgers Forge Community Association, Inc., I
Travis K. Anderson, request an appeal of Case No. 84-306-A. This case re-
presents a zoning decision found in favor of Betty Hinton Gamewell of 136
Hopkins Road, 9th Election District.

Very truly yours,

Travis K. Anderson

Travis K. Anderson
President



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

June 28, 1984

Travis K. Anderson, President
The Rodgers Forge Community Assn., Inc.
170 Dumbarton Road
Baltimore, Md. 21212

Case No. 84-306-A
Betty Hinton Gamewell

Dear Mr. Anderson:

Your appeal on the above entitled case was filed on
June 8, 1984. On June 12th this Board received a request for an early
hearing since the matter before the Board concerned the construction of a
porch for summertime use only. At that time the assigned date was
open on the docket. Since that time the docket has been scheduled
through the middle of October.

The matter before the Board in this case concerns
one variance pertaining to a rear yard setback. It would appear to
this Board that three weeks is sufficient time to prepare such a case.
Therefore, your request for postponement is hereby denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman *per se*

WTH:e

Travis K. Anderson, President
The Rodgers Forge Community
Association, Inc.
170 Dumbarton Road
Baltimore, Maryland 21212

June 27, 1984

Baltimore County Zoning Board

Gentlemen:

As President of the Rodgers Forge Community Association,
Inc., I, Travis K. Anderson, request a postponement of Appeal Case
No. 84-306-A, Betty Hinton Gamewell, assigned for Thursday, July 19,
1984, at 10:00 AM. The assigned date does not provide time enough
to retain an attorney and prepare our case.

Sincerely,

Travis K. Anderson
Travis K. Anderson
President

RECEIVED
COUNTY BOARD OF APPEALS
JUN 28 P 3 34



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

June 28, 1984

Travis K. Anderson, President
The Rodgers Forge Community Assn., Inc.
170 Dumbarton Road
Baltimore, Md. 21212

Re: Case No. 84-306-A
Betty Hinton Gamewell

Dear Mr. Anderson:

Your appeal on the above entitled case was filed on
June 8, 1984. On June 12th this Board received a request for an early
hearing since the matter before the Board concerned the construction of a
porch for summertime use only. At that time the assigned date was
open on the docket. Since that time the docket has been scheduled
through the middle of October.

The matter before the Board in this case concerns
one variance pertaining to a rear yard setback. It would appear to
this Board that three weeks is sufficient time to prepare such a case.
Therefore, your request for postponement is hereby denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman *per se*

WTH:e

*This man is going to call to
see about Mr. Hackett's
decision on his request for
postponement.*

July 16, 1984

Petition zoning variance,
9th Election District
Balto. County

Re: Case No. 84-306-A.
Betty Gamewell, Petitioner

Gentlemen:

*This is to inform you that
Mr. & Mrs. Stanley Swarski of
134 Hopkins Road have no
objection of above party's addition
of rear porch.*

*Marie N. Swarski
134 Hopkins Rd
Balto Md. 21212*

DR. H. GEORGE HAHN II
131 HOPKINS ROAD
BALTIMORE, MARYLAND 21212

July 17, 1984

In re, Case 84-306-A

Mr. William T. Hackett
Chairman
Board of Appeals
Courthouse, Room 200
Towson, Maryland 21204

Dear Mr. Hackett:

This letter is in support of granting a petition
zoning variance to Betty Hinton Gamewell of 136 Hopkins
Road.

Mrs. Gamewell's property and grounds have, in
my thirteen years on Hopkins Road, always been a
credit to Rodgers Forge. Her proposed improvement,
for which she petitions you, will, I am certain,
be tastefully done.

It will not in any way be a nuisance to the neighbor-
hood but will indeed be an improvement to the quality
of living in Rodgers Forge.

Both my wife and I strongly advise your granting the
petition to Mrs. Gamewell.

Sincerely,

H. George Hahn II

RECEIVED
COUNTY BOARD OF APPEALS
JUL 18 10 46

Dr. and Mrs. Stuart B. Bell
515 Overbrook Road
Baltimore, Maryland 21212
July 15, 1984

In re: Petition Zoning Variance
1/5 of Hopkins Road, 401.5' S of
Berham Rd (136 Hopkins Rd).
9th Election District
Betty Hinton Gamewell,
Petitioner
Case No. 84-306-A

We are in favor of 8 foot
variance for the purpose of
adding an enclosed porch to
the back of 136 Hopkins Road

*Stuart B. Bell
St. B. Bell M.D.*

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 19, 1984.

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ~~announcing~~
of one time ~~before~~ before the 9th
day of ~~May~~ 1984, the first publication
appearing on the 19th day of April
1984.

THE JEFFERSONIAN,

L. L. Smith
Manager.

Cost of Advertisement, \$ 18.00

PETITION FOR VARIANCE
No. 84-306-A
ZONING: Petition for Variance
LOCALITY: 136 Hopkins
Road, 401.5' S of Berham
Road, 136 Hopkins Road.
DATE & TIME: Wednesday, May
9, 1984 at 10:00 AM.
PUBLIC HEARING: Room 100,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:
Petition for Variance to permit
a rear yard setback of 8 ft. in
lieu of the required 10 ft.
Being the property of Betty Hin-
ton Gamewell, as shown on plat
and filed with the Zoning Depart-
ment.
It is the order that this Petition be
granted, a building permit may be
issued within 30 days of the
appeal period. The Zoning Commis-
sioner will, however, retain the
right to request for a stay of the issuance
of said permit during this period
for good cause shown. Such request
must be received in writing by the
date of the hearing set above or
made at the hearing set above or
made by order of
ARNOLD FARLOW,
Zoning Commissioner
of Baltimore County
Apr. 18

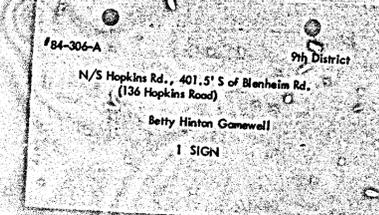
Case No. 84-306-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
3rd day of April, 1984

Petitioner: Betty H. Gamewell
Petitioner's
Attorney:

Arnold Farlow
ARNOLD FARLOW
Zoning Commissioner
Received by: *Nicholas B. Comoussi*
Nicholas B. Comoussi
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130540
DATE: 6/11/84 ACCOUNT: R-01-615-000
AMOUNT: \$80.00
RECEIVED FROM: Travis K. Anderson
FOR: Appeal fee of Case 84-306-A
(Betty Hinton Gamewell)
[Chk.] 6 022*****80610 8134A
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

84-306-A

District 9th Date of Posting 4-19-84
 Posted for: Variance
 Petitioner: Betty Hinton Gamewell
 Location of property: N/S Hopkins Road 401.5 S. of Blenheim Rd.
(136 Hopkins Road)
 Location of Signs: In front of 136 Hopkins Road
 Remarks:
 Posted by: A. J. Deata Date of return: 4-27-84
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE
 ZONING: Section for Variance
 LOCATION: North side Hopkins Road 401.5
 S. of South of Blenheim Road (136 Hopkins
 Road)
 DATE & TIME: Wednesday, May 8, 1984 at
 10:00 A.M.
 PUBLIC HEARING: Room 108, County Office
 Building, 111 W. Chesapeake Avenue,
 Towson, Maryland
 The Zoning Commission of Baltimore County,
 by authority of the Zoning Act and Regulations
 of Baltimore County, will hold a public
 hearing
 for a variance to permit a side yard set-
 back of 40 ft. in lieu of the required 50 ft.
 being the property of Betty Hinton Gamewell
 as shown on plat filed with the Zoning
 Department.
 In the event that this Petition is granted, a
 building permit may be issued within the
 120 day appeal period. The Zoning Com-
 missioner will, however, entertain any request
 for a stay of the issuance of said permit dur-
 ing the period for good cause shown. Such
 request must be made in writing by the date
 of the hearing set above or made at the
 hearing.
 BY ORDER OF ARNOLD JARLON
 ZONING COMMISSIONER OF
 BALTIMORE COUNTY

Towson, Md. 5/15 1984

THIS IS TO CERTIFY, that the annexed advertisement
 was published in the TOWSON TIMES, a weekly news-
 paper distributed in Towson, Baltimore County, Md.,
 once a week for 1 consecutive weeks, the
 first publication appearing on the 18th day of
April 1984.

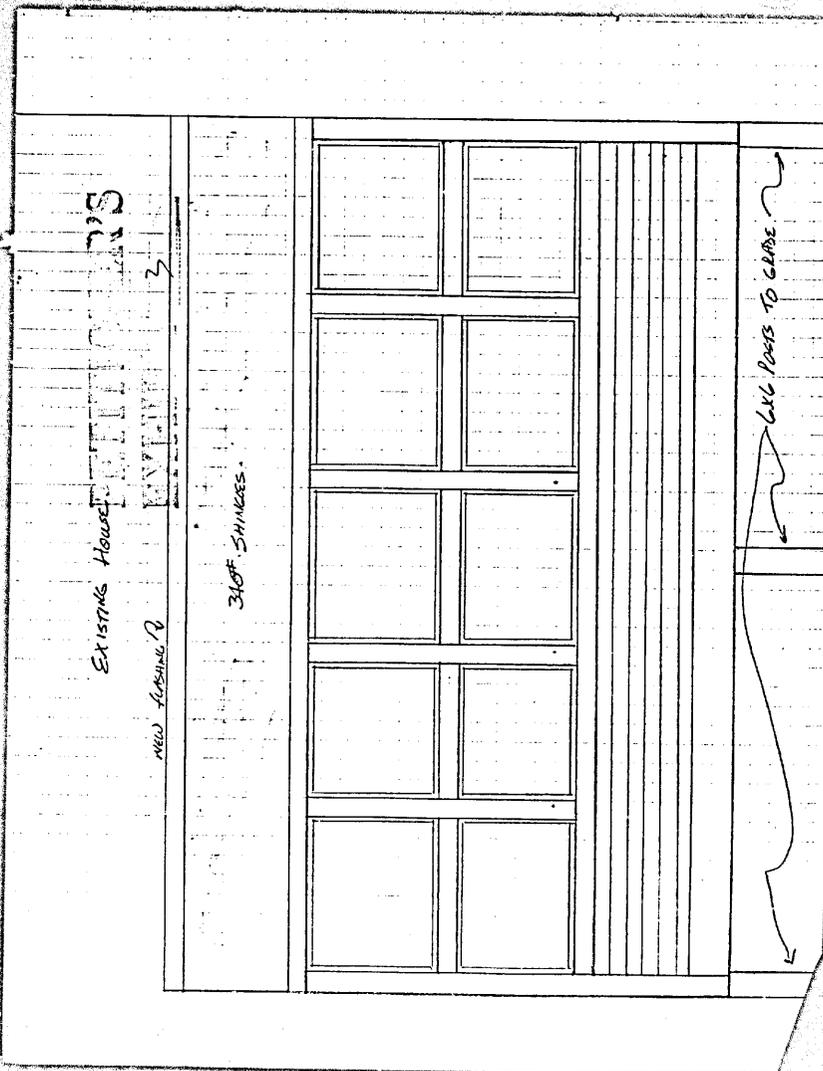
The TOWSON TIMES
M. Angelle

Cost of Advertisement: \$ 18.75

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

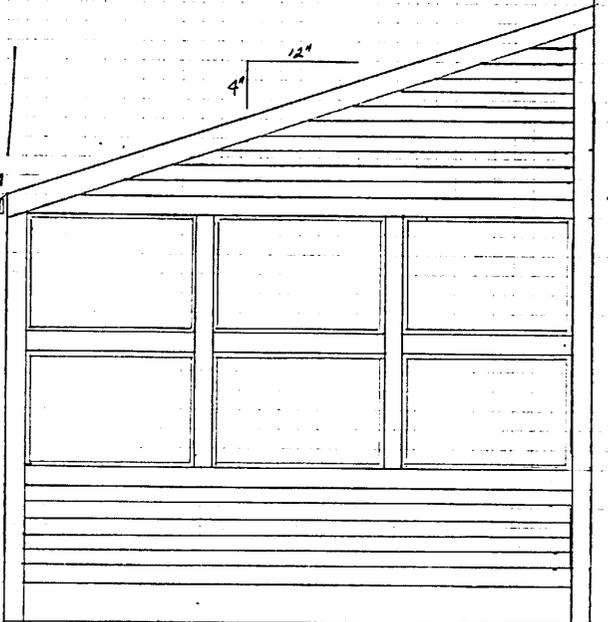
84-306-A

District 9th Date of Posting June 22-84
 Posted for: Appeal
 Petitioner: Betty Hinton Gamewell
 Location of property: N/S Hopkins Road 401.5 S. of
Blenheim Road (136 Hopkins Road)
 Location of Signs: In front of 136 Hopkins Road
 Remarks:
 Posted by: A. J. Deata Date of return: June 22-84
 Number of Signs: 1



NOTES: - FLOOR JOISTS - 2x10 @ 16" OC } HEM-FIL
 EXT. WALLS 2x6 @ 16" OC }
 RAFTERS 2x8 @ 16" OC }
 SUB-FLOOR 3/4" T&G UNDERLAYMENT
 EXT. SHEATHING 1/2" CDX PLYWOOD
 SIDING 1/2" x 1/2" CL. CEDAR 4 1/2" EXPOSURE
 EXT. TRIM 3/4" CL CEDAR
 SHINGLES 340# ARCHITECTURAL GRADE - COLOR BY OWNER
 WINDOWS AWNING TYPE BY BELLA-CLAD -
 INSULATION - 6" IN WALLS - 10" IN FLOOR - 8" IN CEILING.
 EXT. STAIN - OLYMPIC WEATHER SHIELD - 2 COATS.

PETITIONER'S
EXHIBIT

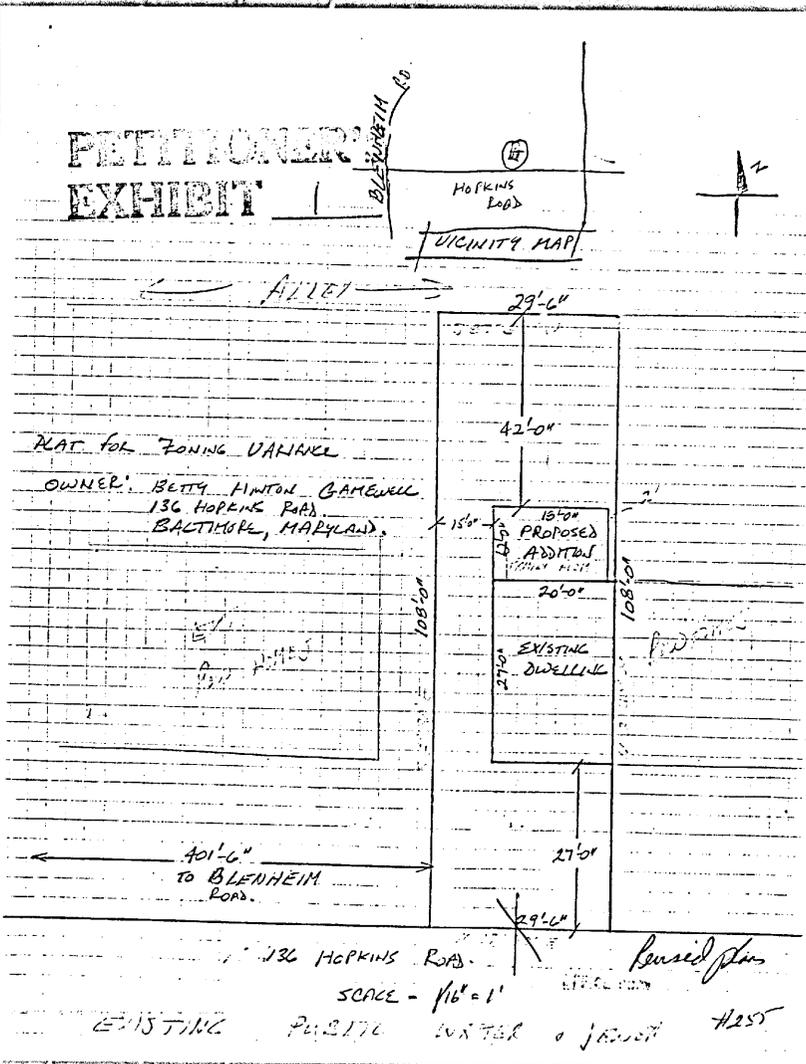


TREATED EX
POST
POST IN CONC
FTNG.

EAST ELEVATION.

FTNG TO BE 36" BELOW GRADE. SCALE - 1/2" = 1'
 FTNG TO BE 12" IN DIAMETER.

PETITIONER'S
EXHIBIT



136 HOPKINS ROAD
 SCALE - 1/16" = 1'
 EXISTING PLAT 276 DATED 10 JANUARY 1985